

To: McGrath, Shaun[McGrath.Shaun@epa.gov]
From: Whitney, John (Bennet)
Sent: Wed 8/12/2015 10:16:48 PM
Subject: FW: Colorado, New Mexico Delegations Urge President to Direct Federal Resources to Gold King Mine Response
8.12.15-Delegation Letter to President.pdf

Shaun, as promised here is our letter.

John

From: Clelland, Philip (Bennet)
Sent: Wednesday, August 12, 2015 2:09 PM
Subject: Colorado, New Mexico Delegations Urge President to Direct Federal Resources to Gold King Mine Response
Importance: High

UNITED STATES CONGRESS

FOR IMMEDIATE RELEASE

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Wednesday, August 12, 2015

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Colorado, New Mexico Delegations Urge President to Direct Federal Resources to Gold King Mine Response

Washington, DC – Members of the Colorado and New Mexico Congressional delegations today are urging President Barack Obama to direct any and all appropriate federal resources to help respond to damage from the Gold King Mine spill that occurred in southwest Colorado last week. Communities in both states along the affected rivers are working quickly to minimize the short-term and long-term public health and economic challenges caused by the tragic spill. Recovering from the spill will take a full and coordinated approach from the Environmental Protection Agency and other federal agencies working with state, tribal, and local officials.

Colorado Senators Michael Bennet (D) and Cory Gardner (R) as well as Representative Scott Tipton (R), along with New Mexico Senators Tom Udall (D) and Martin Heinrich (D) and Representative Ben Ray Lujan (D) signed the letter.

The members highlighted the need to include multiple federal agencies in a coordinate response; improve the speed of water quality and sediment testing and the communication about that testing; address the availability of potable water; create a claims reimbursement process to cover all costs incurred by states, counties, tribes, and local municipalities, as well as local businesses and agricultural producers; to review any ongoing projects in the area that are similar in nature to those at the Gold King Mine; and to take a look at the creation of a water treatment plant in the Upper Animas River to remove heavy metals from the watershed at its source.

Full Text of the Letter:

August 12, 2015

Dear Mr. President:

We write to urge you to focus all appropriate federal resources on the tragic Gold King Mine spill that occurred last week in Southwest Colorado. The release of approximately three million gallons of contaminated water into the Animas River has polluted the river through southwest Colorado, the Southern Ute Indian Reservation, New Mexico, and the Navajo Nation. This is truly a national disaster that requires the attention, coordinated efforts, and resources of multiple federal agencies.

The Animas River and San Juan River are critical to our states' economies and way of life. Communities in all of the affected states, the Navajo Nation, and the Southern Ute Indian Tribe are justifiably concerned about both the short and long term effects of this disaster. In the short term there are many steps that can be taken to make our communities whole, move us toward restoration of river health, and effectively manage this disaster. The communities we represent expect and deserve a prompt and thorough response to this disaster as well as transparency and accountability from the federal government.

First and foremost, we need your help to mobilize adequate and coordinated resources across the federal, state, tribal, and local agencies involved in the emergency response and disaster management. The Environmental Protection Agency (EPA) is the primary federal agency involved, but given the complexity and size of this disaster, we expect other federal agencies including the Agency for Toxic Substances and Disease Registry (ATSDR), Department of Agriculture, Department of the Interior, and Department of Health and Human Services may be involved.

Also in the short-term, a coordinated federal response must be developed to address the lack of available potable water in many of the affected communities. In addition to municipal water supplies, irrigation ditches and water supplies for livestock were contaminated. The federal government needs to work with state, tribal, and local governments to provide and pay for supplemental water as needed for both drinking water supplies and agricultural operations.

There also must be an improvement in the speed of water quality and sediment testing and in the dissemination of fully-interpreted results to the public. The EPA is conducting water and sediment sampling and analyses, but the interpreted results have not been made readily available to the public. The interpretation should include comparison charts showing historic contamination levels as well as relevant water quality standards. This process should be coordinated with ATSDR to include human and animal toxicology data.

In the long-term, while we understand that the EPA is starting to move forward with a claims reimbursement process, we need to ensure that this process is comprehensive and includes sufficient resources to cover all costs incurred by states, counties, tribes, and local municipalities, as well as local businesses and agricultural producers. Out of necessity, local governments and nonprofit organizations have quickly responded to this disaster and are incurring significant costs to do so. Our communities and businesses should not have to pay for a disaster that was the result of a federal agency's action.

Finally, we request an immediate review of any ongoing projects in the area that are similar in nature to those at the Gold King Mine. It is important to avoid exacerbating the current disaster and to ensure that any lessons learned from this incident can be included in future remediation plans. In addition, the EPA must have immediate contingency plans in place in case of further instability and contaminant releases from the Gold King Mine or other mines in the upper Animas River basin. In the long-term, the EPA and any other involved federal agencies should work together in coordination with state, tribal, and local officials to develop mitigation and emergency response plans for potential future blowouts from abandoned mine sites. It is crucial that we take these risks seriously and avoid unnecessary delays in emergency response procedures.

Long-term planning to protect the Animas and San Juan River basins by removing heavy metals released from mine sites into the Animas River should involve the careful consideration of all options including the construction of a water treatment plant. Removal of these metals from the water is even more important now to communities and aquatic life downriver as we begin to recover from this tragic disaster.

Thank you for your attention to and consideration of this important issue.

Sincerely,

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